



Dkt. 55873/JPW/AJM/JCS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Anne Marie Schmidt, et al.
U.S. Serial No.: 09/167,705 Examiner: J. Andres
Filed : October 6, 1998 Art Unit: 1646
For : EXTRACELLULAR NOVEL RAGE BINDING PROTEIN (EN-
RAGE) AND USES THEREOF
Date of Notice
Of Allowance: June 6, 2003 Confirmation No: 1656
Issue Fee Paid: September 8, 2003

1185 Avenue of the Americas
New York, New York 10036
March 22, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants paid the issue fee for U.S. Serial No. 09/167,705 on September 8, 2003. A Notice of Abandonment was issued on October 29, 2003, and a Petition to withdraw Holding of Abandonment was filed on December 24, 2003. Based on a telephone interview between Examiner Andres and Alan J. Morrison, Esq., applicants' undersigned attorney, and the undersigned's review of the Patent Office's PAIR system, applicants understand that the subject application is presently pending. In a petition being filed herewith, applicants petition that U.S. Serial No. 09/167,705 be withdrawn from issue under 37 C.F.R. §1.313(c)(2) in consideration of a Request for Continued Examination ("RCE") in compliance with 37 C.F.R. §1.114 filed herewith so that references not previously of record which are submitted with the accompanying Supplemental Information

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Disclosure Statement may be considered by the Patent Office.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following references. 37 C.F.R. §1.97(b)(4) provides that an Information Disclosure Statement will be considered if it is filed before the mailing date of a first Office Action after the filing of a request for Continued Examination under 37 C.F.R. §1.114. Accordingly, this Information Disclosure Statement is being timely filed.

This Information Disclosure Statement is submitted as a supplement to the Information Disclosure Statements filed September 25, 2000 and June 18, 2001. The applicants direct the Examiner's attention to the following references which are listed on the enclosed PTO-1449 form attached hereto as **Exhibit 1**.

1. December 22, 2005 Communication from the European Patent Office transmitting a Supplementary Partial European Search Report Under Rule 46(1) EPC in connection with European Patent Application No. 99953081.9, filed October 6, 1999 (**Exhibit 2**).
2. Database EMBL "Homo sapiens RAGE binding protein mRNA, complete cds," retrieved from EBI Accession No. EM_PRO:AF011757 (1998) (**Exhibit 3**).
3. Hitomi, Jiro and Tonen Corporation, European Patent Application No. EP0731166A filed December 4, 1995, and published September 11, 1996 (**Exhibit 4**).

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Applicants request that the Examiner review the references and make them of record in the subject application.

No fee, other than the \$130.00 Petition fee and the \$395.00 RCE filing fee, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Alan J. Morrison
Reg. No. 37,399

Date

3/22/05

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**U.S. Department of Commerce
Patent and Trademark Office**

Application Number	09/167,705
Filing Date	October 6, 1998
First Named Inventor	Ann Marie Schmidt
Art Unit	1646
Examiner Name	J. Andres
Attorney Docket No.	55873/JPW/AJM/JCS

(Use several sheets if necessary)

[illegible][illegible]**DATE CONSIDERED**

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds of Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English Language Translation is attached.

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